

47 87-140-A **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 15-101.2.C.6 (V.B.5.b, CMDF) of the required 30' 1801.2.C.6 (V.B.5.b, CMDF) to permit a building to tract boundary setback of 10' in lieu of the required 30' 1801.2.C.6 (V.B.5.b, CMDF)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Hardship - as zoning and boundary setbacks will not permit development of Parcels A and B without granting of variance.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
(Type or Print Name)
Signature
Joel F. Smith, Senior Vice-President
(Type or Print Name)
Signature

Attorney for Petitioner:
Paul F. Robinson
(Type or Print Name)
Signature
Address
City and State

187 Maiden Choice Lane, Suite 100
Baltimore, Maryland 21228
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Lewis M. Hess, Jr., Owner's representative
Name
P.O. Box 5890 256-1000
Address
Baltimore, Maryland 21208
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of August, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of September, 1986, at 10:30 o'clock a.m.

(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15-14 Date of Posting 9/18/86
Posted for Variance
Petitioner: BTR Realty, Inc.
Location of property: N/S of Yew Rd., 2617' W of Fuselage Ave., S/S of Yew Rd., 2550' W of Fuselage Ave.
Location of Signs: Both signs facing East, between Yew Rd. & 2550' W of Fuselage Ave., on property of Petitioner.
Remarks:
Posted by [Signature] Date of return: 9/24/86
Number of Signs: 2

IN RE: PETITION FOR ZONING VARIANCE
N/S of Yew Rd., 2617' W of Fuselage Ave.; S/S of Yew Rd., 2550' W of Fuselage Ave.
15th Election District
BTR Realty, Inc.
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-140-A

The Petitioner herein requests a zoning variance to permit a building to tract boundary setback of 10 feet in lieu of the required 30 feet.

Testimony by the developer of the site, a part of Brien Run Village, indicated that subdivision and recordation have been completed but the lots in question are of such a configuration that they cannot be improved with dwellings unless the requested variance is granted. Both homes will face Yew Road. The land to the south of both lots is vacant, zoned DR 5.5 for a strip varying from approximately 28 feet to 75 feet, then zoned MLR-1M. There is a flood plain to the rear of Parcel B. Drainage from both lots, as well as from the storm drain installed in Yew Road, will flow into that flood plain. During development there is a diversionary dike along the southern tract boundary; all sediment control and storm water management requirements will be met so that the runoff from the subject lots will not be greater than the runoff prior to development.

The daughter and grandson of the owner of the property on the south expressed deep concern regarding runoff, especially from Parcel A.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

ORDER RECEIVED FOR FILING
Date 9/22/86
By [Signature]

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 7th day of November 1986, that the herein request for a zoning variance to permit a building to tract boundary setback of 10 feet, in accordance with the plan submitted, prepared by Paul Lee Engineering, Inc., revised July 29, 1986, is hereby GRANTED from and after the date of this Order, subject, however, to the following restrictions:

- 1) Grading plans for both Parcel A and Parcel B shall be submitted to and approved by the Baltimore County Bureau of Public Services.
- 2) All site run-off must be conveyed to a suitable outfall.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 9/22/86
By [Signature]



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Paul F. Robinson, Esquire
817 Maiden Choice Lane, Suite 100
Baltimore, Maryland 21228

RE: Petition for Zoning Variance
N/S of Yew Road, 2617' W of Fuselage Ave.; S/S of Yew Road 2550' W of Fuselage Avenue
15th Election District
Case No. 87-140-A

Dear Mr. Robinson:

Enclosed please find a copy of the decision rendered in the above referenced case. Please be advised that your Petition for Zoning Variance has been granted in accordance with the enclosed Order.

If you have any further questions on the subject matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: Mr. Lewis M. Hess, Jr.
P.O. Box 5890
Baltimore, Maryland 21208

Ms. Barbara Jessa
1826 Sunnyside Lane
Baltimore, Maryland 21221

People's Counsel

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
301-824-5344

DESCRIPTION

PARCEL A AND B YEW ROAD, BRIEN RUN VILLAGE - FIFTEENTH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Parcel "A"

Beginning for the same at a point, said point being located on the south side of Yew Road 2550 feet ± westerly from the center of Fuselage Avenue, thence leaving said south side of Yew Road (1) S 38°03'22" East 108.54 feet and (2) S 59°32'55" West 42.08 feet to intersect the western outline of Amended Plat 1, "Brien Run Village" as recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. 54-33 thence binding on a part of said western outline (3) N 68°06'41" West 100.61 feet to intersect the south side of Yew Road; thence binding on the south side of Yew Road by a curve to the right (4) R=275.00 feet L=93.92 feet to the point of beginning.

Being known as Parcel "A" and containing 0.159 acres of land, more or less.

Parcel "B"

Beginning for the same at a point, said point being located on the north side of Yew Road 2617 feet ± westerly from the center of Fuselage Avenue, thence binding on the north side of Yew Road by a curve to the left (1) R=325.00 feet L=60.00 feet to intersect the western outline of Amended Plat 1, "Brien Run Village" as recording among the Land Records of Baltimore County in Plat Book E.H.K.Jr. 54-33, thence binding on part of said western outline (2) N 68°06'41" West 165.48 feet, thence leaving said western outline, (3) N 48°51'46" East 79.77 feet, (4) N 39°48'20" East 35.65 feet and (5) S 48°40'27" East 141.01 feet to the north side of

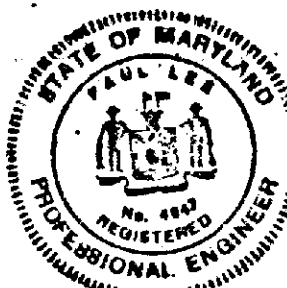
Engineers - Surveyors - Site Planners

Description

Parcel A and B Yew Road, Brien Run Village

Yew Road and point of beginning.

Being known as Parcel "B" and containing 0.2896 acres of land, more or less.



Paul Lee P.E.

PETITION FOR ZONING VARIANCE

15th Election District

Case No. 87-140-A

LOCATION: North Side of Yew Road, 2617 feet West of Fuselage Avenue; South Side of Yew Road, 2550 feet West of Fuselage Avenue

DATE AND TIME: Tuesday, October 28, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a building to tract boundary setback of 10 feet in lieu of the required 30 feet

Being the property of BTR Realty, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR ZONING VARIANCE

15th Election District
Case No. 87-140-A

North Side of Yew Road, 2617 feet West of Fuselage Avenue;
South Side of Yew Road, 2550 feet West of Fuselage Avenue

LOCATION:

DATE AND TIME: Monday, September 29, 1986, at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a building to tract boundary setback of 10 feet in lieu of the required 30 feet

Being the property of BTR Realty, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

DEVELOPERS, OWNERS AND
MANAGERS OF INCOME PROPERTIES
BTR REALTY, INC.
817 MAIDEN CHOICE LANE
SUITE 100
BALTIMORE, MARYLAND 21228
301-247-4991
D.C. USE: 202-821-4125

RECEIVED
OCT 29 1986
ZONING OFFICE

October 28, 1986

Baltimore County Zoning Office
Room 113
County Office Building
Towson, MD 21204

Re: Petition for Zoning Variance
BTR Realty, Inc. - Petitioner
Case No. 87-140-A

To Whom It May Concern:

Enclosed herewith please find a check in the amount of \$78.80 made payable to Baltimore County, Maryland for advertising and posting of the property relating to the above-referenced case.

Very truly yours,

Paul F. Robinson
Paul F. Robinson
General Counsel

1b
Enclosure

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025598

DATE 10/28/86 ACCOUNT R-01-615-000

2 SIGNS & POSTS
TO BE RETURNED AMOUNT \$ 78.80
Paul F. Robinson, Esq., General Counsel, BTR
Realty, Inc., 817 Maiden Choice Lane, Suite 100
Baltimore, MD 21228

RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE #87-140-A

FOR: B 8053*****305013 21228

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 4, 1986

Paul F. Robinson, Esquire
817 Maiden Choice Lane
Suite 180
Baltimore, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
N/S of Yew Rd., 2617' W of Fuselage Ave.;
S/S of Yew Rd., 2550' W of Fuselage Ave.
15th Election District
BTR Realty, Inc. - Petitioner
Case No. 87-140-A

Dear Mr. Robinson:

Receipt is acknowledged of your letter to Commissioner Jablon, dated September 2, 1986, concerning a postponement of the hearing presently scheduled in this case for September 29, 1986. We have postponed the hearing and we have been able to cancel in time the advertising costs in connection with this postponement. However, your client is still liable for posting costs which amount to \$30.00. Please have a check issued payable to "Baltimore County, Maryland", in the amount of \$30.00, and remit it to my attention in care of the Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025511

DATE 9/10/86 ACCOUNT R-01-615-000

AMOUNT \$ 30.00

RECEIVED FROM: BTR Realty, Inc., 817 Maiden Choice Lane, Suite 100, Baltimore, MD 21228

FOR: ADVERTISING & POSTING COSTS RE CASE #87-140-A

FOR: B 8053*****305013 21228

VALIDATION OR SIGNATURE OF CASHIER

to mail to you the
you that either you
s on the two signs
ately, in order to
g on September 29th.

rst available

is

Paul F. Robinson, Esquire
817 Maiden Choice Lane
Suite 100
Baltimore, Maryland 21228

September 19, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S of Yew Rd., 2617' W of Fuselage Ave.;
S/S of Yew Rd., 2550' W of Fuselage Ave.
15th Election District
BTR Realty, Inc. - Petitioner
Case No. 87-140-A

TIME: 10:30 a.m.

DATE: Tuesday, October 28, 1986

PLACE: Room 301, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

AJ:med

ccs: Mr. Joel F. Smith, Senior Vice President
BTR Realty, Inc.
817 Maiden Choice Lane
Baltimore, Maryland 21228

Mr. Lewis M. Hess, Jr.
P.O. Box 5890
Baltimore, Maryland 21208

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER

N/S of Yew Rd., 2617 W. of
Fuselage Ave.; & S/S of Yew Rd. : OF BALTIMORE COUNTY
2550' W of Fuselage Ave.,
15th District :

BTR REALTY, INC., Petitioner : Case No. 87-140-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 27th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Paul F. Robinson, Esquire, 817 Maiden Choice Lane, Suite 100, Baltimore, MD 21228, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 22, 1986

Paul F. Robinson, Esquire
817 Maiden Choice Lane
Suite 100
Baltimore, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
N/S of Yew Rd., 2617' W of Fuselage Ave.;
S/S of Yew Rd., 2550' W of Fuselage Ave.
15th Election District
BTR Realty, Inc. - Petitioner
Case No. 87-140-A

Dear Mr. Robinson:

This is to advise you that \$78.80 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:med

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 9, 19 86

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 9, 19 86

THE JEFFERSONIAN,

Publisher
Cost of Advertising

24.75

PETITION FOR
ZONING VARIANCE
15th Election District
Case No. 87-140-A

LOCATION: North Side of Yew Road, 2617 feet West of Fuselage Avenue; South Side of Yew Road, 2550 feet West of Fuselage Avenue.

DATE AND TIME: Tuesday, October 28, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 301, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variance to permit a building to tract boundary setback of 10 feet in lieu of the required 30 feet.

Being the property of BTR Realty, Inc., as shown on the plat filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during that period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
1986, Oct. 9.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15th Date of Posting 9/29/86

Posted for: Variance

Petitioner: BTR Realty, Inc.

Location of property: N/S of Yew Rd. & S/S of Yew Rd. 2617' & 2550' W of Fuselage Ave. Variance by

Location of Sign: At end of Yew Rd. at N/S of Yew Rd. & S/S of Yew Rd.

Remarks: See entry of BTR

Posted by: M. H. Jung Date of return: 9/29/86

Number of Signs: 2

Paul F. Robinson, Esquire
817 Maiden Choice Lane
Suite 100
Baltimore, Maryland 21228

August 22, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S of Yew Rd., 2617' W of Fuselage Ave.;
S/S of Yew Rd., 2550' W of Fuselage Ave.
15th Election District
BTR Realty, Inc. - Petitioner
Case No. 87-140-A

TIME: 10:15 a.m.

DATE: Monday, September 29, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025806

DATE 7/29/86 ACCOUNT 01-615

AMOUNT \$ 35.00

RECEIVED FROM: BTR Realty, Inc.

FOR: FILED FOR VARIANCE ITEM 47

FOR: B 8076*****350013 27528

VALIDATION OR SIGNATURE OF CASHIER

Petition for Zoning Variance
 Case No. 87-140-A
 Location: North Side of Yew Road, 2617 feet W Fuselage Avenue, South Side of Yew Road, 2550 feet W Fuselage Avenue.
 DATE: Tuesday, October 7, 1986, at 10:00 a.m.
 PUBLIC HEARING: Room 101, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit a building to be constructed on a lot of 18,000 sq. ft. in the DR 5.5 District.
 Being the property of BTR Realty, Inc., as shown on the plan filed with the Zoning Office.
 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing and above or made at the hearing.
 By Order of
 Arnold Jablon
 Zoning Commissioner
 of Baltimore County

The Times

Middle River, Md., October 9 19 86

This is to Certify, That the annexed
Petition for Zoning Variance
for Variance

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive

weeks before the 9th day of October, 1986

Diana Pitty Publisher.

Mr. Arnold Jablon
 Zoning Commissioner
 of Baltimore County
 County Office Building
 111 W. Chesapeake Ave.
 Towson, MD 21204

Re: Petition for Zoning Variance
 BTR Realty, Inc. - Petitioner
 Case No. 87-140-A

Dear Mr. Jablon:

I have been informed that the above-referenced Petition for Zoning Variance has been scheduled for hearing at 10:15 a.m. on Monday, September 29, 1986. Regrettably, I have a professional scheduling conflict that cannot be changed and I must hereby request that the September 29, 1986 hearing be rescheduled for a later date. I would appreciate it greatly if you would inform me as to the new hearing date.

I apologize for any inconvenience this might cause.

Very truly yours,

Paul F. Robinson

th

cc: Mr. Lewis M. Hess, Jr.

817 Maiden Choice Lane
 Suite 180
 Baltimore, Maryland 21228
 (301) 242-6512

Paul F. Robinson
 Attorney-at-Law

RECEIVED
 SEP 3 1986
 ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 2, 1986

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering
 Department of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Paul F. Robinson, Esquire
 817 Maiden Choice Lane, Suite 100
 Baltimore, Maryland 21228

RE: Item No. 47 - Case No. 87-140-A
 Petitioner: BTR Realty, Inc.
 Petition for Zoning Variance

Dear Mr. Robinson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Paul Lee Engineering, Inc.
 304 W. Pennsylvania Avenue
 Towson, Maryland 21204

BALTIMORE COUNTY
 DEPARTMENT OF PERMITS & LICENSES
 TOWSON, MARYLAND 21204
 494-3610

August 15, 1986

TED ZALESKI, JR.
 DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
 Office of Planning and Zoning
 Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 47 Zoning Advisory Committee Meeting are as follows:

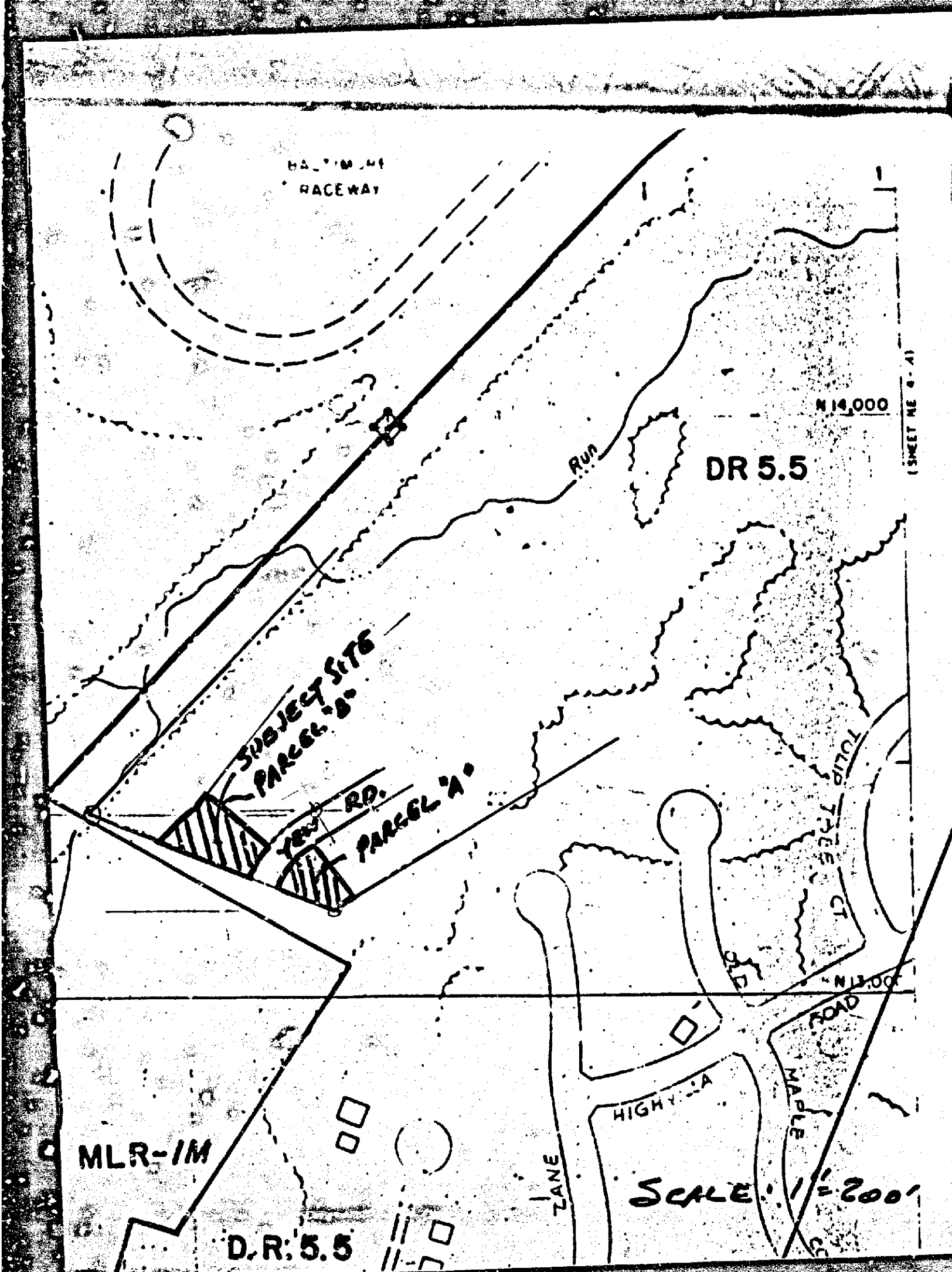
Property Owner: BTR Realty, Inc.
 Location: N/S Yew Road, 2617 feet W Fuselage Ave and S/S Yew Road, 2550 ft. W Fuselage Avenue
 District: 15th.

APPLICABLE TYPE AND CODE:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 87-10, the Maryland Code for the Handicapped and Age (A.S.S.I. 871-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Separated seals are not acceptable.
5. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls and 2" to 4" to an interior lot line. Sub Use Groups require a one hour wall of at least 2" to 4" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1408.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the _____ to the _____ or to Mixed Use _____ See Section 312 of the Building Code.
9. The proposed project appears to be located in a Flood Plain, Flood/Elevations. Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill 87-10. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
10. Comments:
11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full review of any permit. I desire the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Rasmussen
 Mr. C. E. Rasmussen, Chief
 Building Plans Review

4/21/86



To: Jim Ryer
 From: Dick Hess
 Re: Case # 87-140-A
 Please reschedule this case promptly for the earliest hearing date.
 THANK U
 Dick

Rec'd
 9/10/86
 Med.
 Zoning

BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204-2586
 494-4500

PAUL H. REINCKE
 CHIEF

August 15, 1986

Mr. Arnold Jablon
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

RE: Property Owner: BTR Realty, Inc.
 Location: N/S Yew Road, 2617 feet W Fuselage Avenue S/S Yew Road, 2550' W Fuselage Avenue
 Item No.: 47 Zoning Agenda: Meeting of 8/19/86

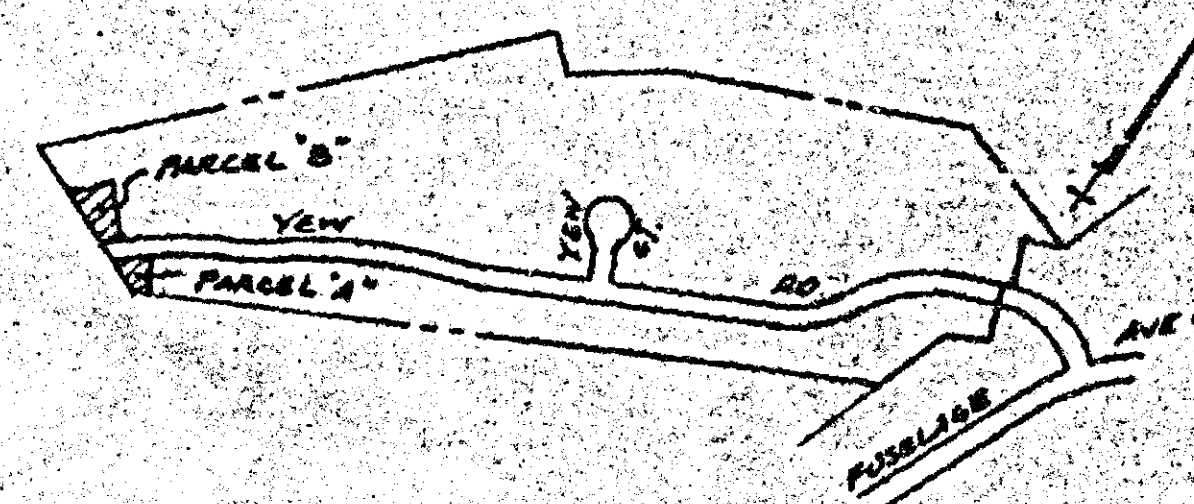
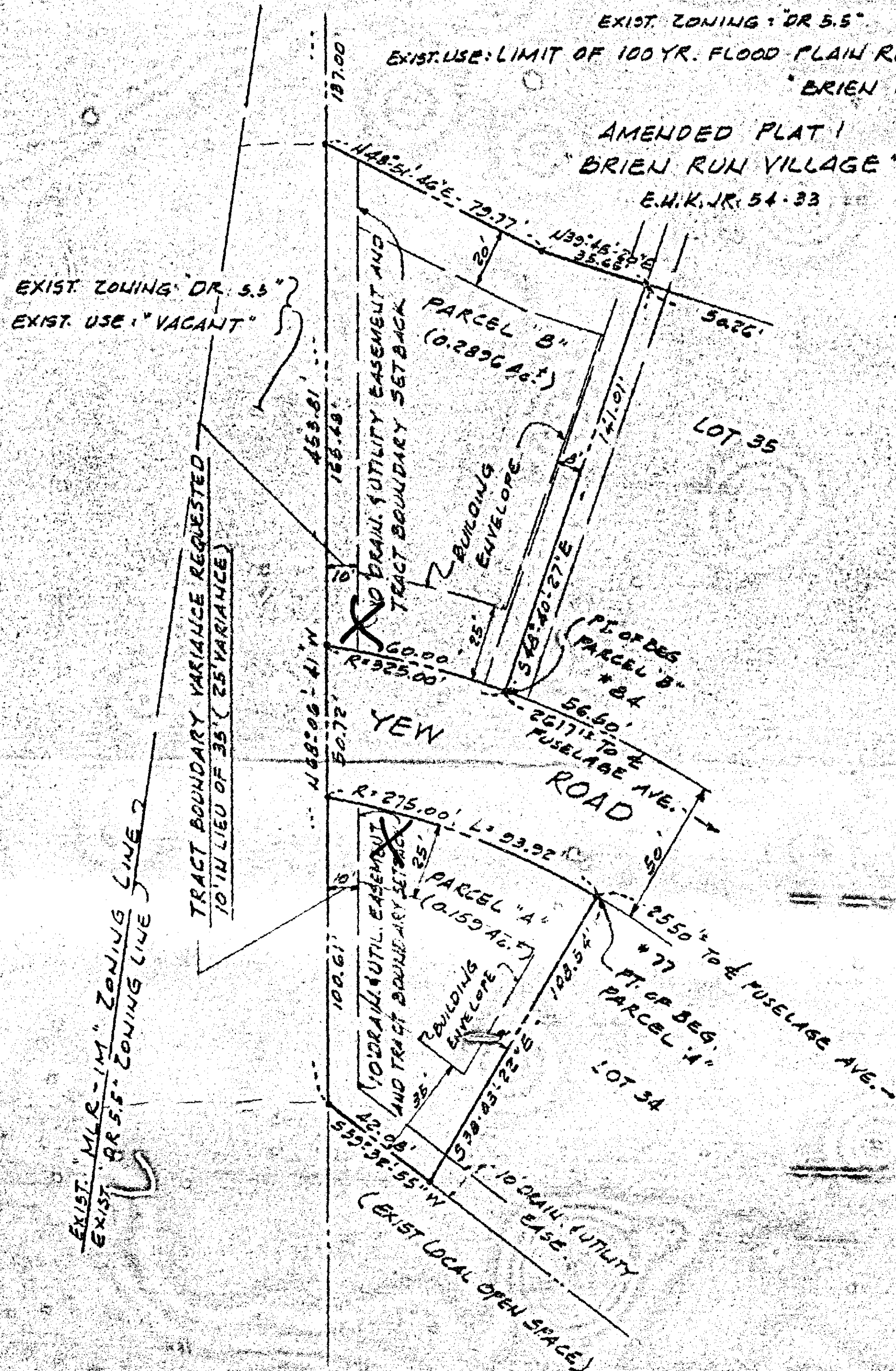
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
 Planning Group Fire Prevention Bureau
 Special Inspection Division

/nb



GENERAL NOTES

1. AREA OF PARCEL "A" = 0.159 AC., PARCEL "B" = 0.2896 AC.
2. EXISTING ZONING PARCEL "A & B" = "DR 5.5"
3. EXISTING USE OF PARCEL "A & B" = "VACANT"
4. PROPOSED ZONING PARCEL "A & B" = "DR 5.5"
5. PROPOSED USE OF PARCEL "A & B" = "RESIDENTIAL"
6. PETITIONER REQUESTING A VARIANCE TO SECTION 1001.2.C.2a OF THE ZONING REGULATIONS TO PERMIT A TRACT BOUNDARY SETBACK OF 10' INSTEAD OF THE REQUIRED 35' (A VARIANCE OF 25')
7. PUBLIC UTILITIES AVAILABLE TO SITE
8. PROPERTY IS LOCATED IN THE "STEMMERS RUN WATERSHED"

PLAT TO ACCOMPANY PETITION
 FOR

TRACT BOUNDARY VARIANCE

PARCELS A AND B

"BRIEN RUN VILLAGE - PLAT 2"

ELECT. DIST. 15

BALTIMORE COUNTY, MD.

SCALE: 1"=30'

MAY 20, 1986
 REV. JULY 29, 1986

OFFICE COPY

47
 87-140A

ENGINEER



PAUL LEE ENGINEERING, INC.
 304 N. PENNSYLVANIA AVENUE
 TOWSON, MARYLAND 21204

EXIST. ZONING: DR 5.5"
 EXIST. USE: "RESIDENTIAL"
 SECTION 2
 "GOLDENTREE"
 E.H.K. JR. 45-140